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8 Attorney for David Lee Kagel

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10 **UNITED STATES DISTRICT COURT**  
11  
12 **DISTRICT OF NEVADA**

13 UNITED STATES OF AMERICA,

14 Plaintiff,

15 v.

16 DAVID LEE KAGEL,

17 Defendant.

18 Case No. 2:24-cr-00024-GMN-DJA-1

19 **STIPULATION TO CONTINUE**  
20 **CHANGE OF PLEA HEARING**  
21 (First Request)

22 IT IS HEREBY STIPULATED AND AGREED, by and between Jason M. Frierson,  
23 United States Attorney, and Theodore M. Kneller, Trial Attorney, U.S. Department of Justice,  
24 counsel for the United States of America, and Rene L. Valladares, Federal Public Defender,  
25 and Benjamin F. J. Nemec, Assistant Federal Public Defender, counsel for David Lee Kagel,  
26 that the change of plea hearing currently scheduled on March 11, 2024, be vacated and  
continued to a date and time convenient to the Court, but no sooner than thirty (30) days.

This Stipulation is entered into for the following reasons:

1. Mr. Kagel's bail report indicates he has frontal lobe dementia. The parties  
request additional time so the defense can follow up and determine if Mr. Kagel is competent  
to plea.

2. The defendant is not in custody and agrees with the need for the continuance.

1           3.       The parties agree to the continuance.

2           This is the first request for a continuance of the change of plea hearing.

3           DATED this 7th day of March, 2024.

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5           RENE L. VALLADARES  
6           Federal Public Defender

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8           JASON M. FRIERSON  
9           United States Attorney

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11          By /s/ Benjamin F. J. Neme  
12          BENJAMIN F. J. NEMEC  
13          Assistant Federal Public Defender

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15          By /s/ Theodore M. Kneller  
16          THEODORE M. KNELLER  
17          Trial Attorney, U.S. Department of Justice

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,  
Plaintiff,  
v.  
DAVID LEE KAGEL,  
Defendant.

Case No. 2:24-cr-00024-GMN-DJA-1

## ORDER

DAVID LEE KAGEL,  
Defendant.

IT IS THEREFORE ORDERED that the change of plea hearing currently scheduled for Monday, March 11, 2024 at 10:00 a.m., be vacated and continued to April 1, 2024 at the hour of 9:00 a.m.

DATED this 7 day of March, 2024.

UNITED STATES DISTRICT JUDGE